

UNITED STATES DISTRICT COURT

for the

Eastern District of North Carolina

United States of America

v.

Johnnie Jacob Brimmer, Jr.

Case No: 4:10-CR-71-2FL

USM No: 54698-056

Date of Original Judgment: April 15, 2011

Date of Previous Amended Judgment: July 21, 2015

(Use Date of Last Amended Judgment if Any)

Sherri R. Alsbaugh

Defendant's Attorney

ORDER REGARDING MOTION FOR SENTENCE REDUCTION
PURSUANT TO 18 U.S.C. § 3582(c)(1)(B)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(1)(B) for a modification of an imposed term of imprisonment to the extent otherwise expressly permitted by statute and as provided by Section 404 of the First Step Act of 2018, and having considered such motion, and taking into account the sentencing factors set forth in 18 U.S.C. § 3553(a), to the extent that they are applicable,

IT IS ORDERED that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 120 months is reduced to 106 months.

(Complete Parts I and II of Page 2 when motion is granted)

The term of supervised release is reduced to 4 years. The court will memorialize in forthcoming memorandum opinion the court's reasoning for this order, which will address the parties' arguments set forth in briefing on the instant motion.

If the amount of time the defendant has already served exceeds this sentence, the sentence is reduced to a "Time Served" sentence, subject to an additional period of up to ten (10) days for administrative purposes of releasing the defendant.

Except as otherwise provided, all provisions of the judgment(s) dated April 15, 2011, and July 21, 2015, shall remain in effect. **IT IS SO ORDERED.**

Order Date: May 30, 2019



Effective Date: (if different from order date)

Louise W. Flanagan U.S. District Judge

Printed name and title